



IFW

SCHIFF, HARDIN LLP

PATENT DEPARTMENT

6600 SEARS TOWER

233 SOUTH WACKER DRIVE

CHICAGO, ILLINOIS 60606

IN RE APPLICATION OF:

Martin OBEL

GROUP ART UNIT: 3762

SERIAL NO.

10/726,246

EXAMINER: Lennwood Faulcon Jr.

FILED:

December 2, 2003

CONFIRMATION NO.: 3533

TITLE: "IMPLANTABLE BIVENTRICULAR CARDIAC STIMULATOR WITH CAPTURE MONITORING BY ECG ANALYSIS"

APPLICANT'S RESPONSE TO THE NOVEMBER 30, 2005 OFFICE ACTION

MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

SIR:

Transmitted herewith is an amendment in the above-identified application.

☒ No additional fee is required.

The fee has been calculated as shown below.

CLAIMS AS AMENDED						
	(2) CLAIMS REMAINING AFTER AMENDMENT		(4) HIGHEST NO. PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEE
TOTAL CLAIMS	*14	MINUS	**20	X	() X 9.00 () X 18.00	
INDEP. CLAIMS	*1	MINUS	3	X	() X 44.00 () X 88.00	
Application amended to contain any multiple dependent claims not previously paid for.				() YES () NO	() \$150.00 () \$300.00 ONE TIME	
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$0.00

* If the entry in Column 2 is less than the entry in Column 4, write "0" in Column 5.

**

If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20 write "20" in this space.

- ☐ Applicants petition the Commissioner of Patents and Trademarks to extend this time for response to the Office Action dated _____ for _____ months so that the period for response is extended to _____. A check in the amount of \$_____ is attached to cover the cost of the extension. Any deficiency or overpayment should be charged or credited to deposit account No. 501519. A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of \$_____ is attached.
- ☐ A check for \$_____ accompanying IDS under 37 CFR 1.97(c) is attached
- ☐ A check for \$_____ and Petition for Consideration of IDS under 37 CFR 1.97(d) is attached.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or to credit any overpayment to account No. 501519. A duplicate of this sheet is enclosed.
- When phoning re this application, please call (312) 258-5500.

SCHIFF, HARDIN LLP (Customer Number: 26574)

BY Steven H. Noll (28,982)

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on February 3, 2006

Steven H. Noll

NAME OF APPLICANT'S ATTORNEY

Steven H. Noll

SIGNATURE

February 3, 2006

DATE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT'S RESPONSE TO THE NOVEMBER 30, 2005 OFFICE ACTION

APPLICANT: Martin OBEL GROUP ART UNIT: 3762
SERIAL NO.: 10/726,246 EXAMINER: Lennwood Faulcon Jr.
FILED: December 2, 2003 CONFIRMATION NO.: 3533
TITLE: "IMPLANTABLE BIVENTRICULAR CARDIAC STIMULATOR
WITH CAPTURE MONITORING BY ECG ANALYSIS"

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

S I R:

Applicant and his counsel have carefully reviewed the Office Action dated November 30, 2005 and the references cited therein, but believe the claims in their present form are patentable over the teachings of those references. Reconsideration of the application in view of the following arguments in support of patentability is therefore respectfully requested.

REMARKS

Independent claim 1 of the present application is directed to an implantable biventricular cardiac stimulating device having first and second electrodes that respectively deliver pacing pulses to the two ventricles of a heart, and a further electrode, that is remote from the stimulator housing, that is positioned in the subject at a distance from the heart. A control circuit is connected to this further electrode and senses, via the further electrode, at least an intracorporeal ECG signal after